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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/291,147	04/15/1999	ADRIAN STORISTEANU	CA9-98-011	1732
21254	7590	12/29/2003	EXAMINER	1
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			YUAN, ALMARI ROMERO	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 12/29/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/291,147	STORISTEANU ET AL.
	Examiner	Art Unit
	Almari Yuan	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 October 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-35 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 10/07/03.
2. The objection of claim 26 has been withdrawn as necessitated by amendment.
3. Claims 27-35 are newly added and claims 1-16 and 21-35 remain for examination.

Claims 1, 8, and 13 are independent claims.

### *Drawings*

4. The drawings filed on 4/15/99 are objected to as indicated in the PTO-948 form attached to the Office Action mailed on 8/01/02. Formal corrected drawings can be filed at allowance.

### *Claim Rejections - 35 USC § 112*

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
6. Claims 27-35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding dependent claim 27, the added claim limitation "wherein the marks inserted into said document are present only during a document processing" is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claim 28, the added claim limitation “wherein said mark control module sets said plurality of marks solely as defined by said parsing editor” is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claim 29, the added claim limitation “wherein said document is parsed by a plurality of parsing editors, each of said plurality of parsing editors providing a unique functionality” is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claim 30, the added claim limitation “wherein each of said plurality of parsing editors binds different actions to the same activemark set in the document” is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claims 31 and 34-35, the added claim limitation “wherein said mark control module comprises a module capable of setting said marks in association with any of a plurality of parsing editors and any of a plurality of markup languages”, is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claim 32, the added claim limitation “wherein said marks are defined dynamically by the parsing editor during parsing of the document”, is not disclosed in the specification. Applicant is advised against the addition of new matter.

Regarding dependent claim 33, the added claim limitation “wherein said marks are other than static and hard coded in said document” is not disclosed in the specification. Applicant is advised against the addition of new matter.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-16, 21-24, 28, and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wodarz et al. (USPN 5,999,912 – filing date: 05/1997) in view of Agranat et al. (USPN 5,973,696 – filing date 08/1997).**

**Regarding independent claim 1,** Wodarz et al. (Wodarz) discloses:

A processing system for processing a document, said processing system comprising:

a programmable text processing module having means for loading the document and a parsing editor for initially parsing the document and thereafter incrementally parsing changes committed in said document (Wodarz on col. 3, lines 35-61: teaches ... parser accesses the template for the requested page...);

a mark control module having means for setting a plurality of marks in the document, means for modifying said marks, and means for clearing said marks, and each of said marks comprising selected information in the document and means for linking said selected information with a command, said linking means and said means for setting being responsive to the operation of said parsing editor without user intervention (Wodarz on col. 3, lines 35-61 and col. 4, lines 6-11: teaches modifying plurality of tags in a HTML code; each ad is associated with an image

information and a network link such as URL (linking means); and parsing of requested web page is done at the server-resident parser without user intervention)

means for displaying the document and means for controlling the display of the document (Wodarz on col. 6-15: teaches HTML received by the user is converted to a viewable (displayable) web page by HTML browser); and

an edit control module having means for controlling said text processing module, means for controlling said mark control module, and means for controlling said graphical user interface module (Wodarz on col. 1, lines 36-51: teaches within the server-resident parser editing a template with tags are to be converted into a viewable web page by a HTML browser program).

However, Wodarz does not explicitly disclose "a graphical user interface".

Agranat et al. (Agranat) on col. 11, lines 39-58: teaches GUI for the display of HTML documents.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Agranat into Wodarz to provide a GUI to allow the display of HTML documents incorporated for the display of viewable parsed and edited web requested web pages at the server-resident parser which will enhance the display of HTML documents with dynamic content.

**Regarding dependent claim 2, Wodarz discloses:**

linking commands internal and external to said processing system to one or more selected marks (Wodarz on col. 3, lines 1-61: teaches page containing ad tag; ad is associated with an image and a network link (URL)).

**Regarding dependent claim 3,** Wodarz discloses:

wherein said linking means includes means, responsive to inputs entered by a user through said graphical user interface module, for activating a command linked with said selected information (Wodarz on col. 3, lines 55-61: teaches viewer selects (“click on”) an associated ad).

**Regarding dependent claim 4,** Wodarz discloses:

wherein said mark control module includes means for changing the appearance of said mark in said document in response to activation of said mark (Wodarz on col. 1, lines 35-51: teaches permitting “look and feel” of an ad).

**Regarding dependent claim 5,** Wodarz discloses:

wherein said edit control module maintains the selected mark synchronized with text being edited in the document (Wodarz on col. 1, lines 53-62: indicating if a qualified ad can be inserted at the page position of the ad tag).

**Regarding dependent claim 6,** Wodarz discloses:

wherein said linking means of said mark control module includes means, responsive to inputs entered by a user through said graphical user interface, for activating a command linked with said selected information (Wodarz on col. 3, lines 55-61: teaches viewer selects (“click on”) an associated ad).

**Regarding dependent claim 7,** Wodarz discloses:

wherein said linking means selectively links any piece of text in the document with any of an editor command and macro, wherein such linking is unspecified in the document loaded in the parsing editor, and wherein said mark is set to a piece of text by at least one of said parsing editor and an external command running in the edit system (Wodarz on col. 1, lines 53-62 and

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col. 3, lines 1-61: teaches parser for parsing HTML codes; page containing ad tag; ad is associated with an image and a network link (URL) and determining if ad can be inserted at the page position of the ad tag).

**Regarding independent claim 8**, Wodarz discloses:

In a document processing system having means for loading and storing a document, a parsing editor for initially parsing the document and thereafter incrementally parsing information entered in the document (Wodarz on col. 3, lines 35-61: teaches ...parser accesses the template for the requested page...), a mechanism for creating an activemark comprising:

means for identifying selected information in the document; and means for binding a command to said selected information, said means for binding and said means for identifying being responsive to the operation of said parsing editor without user intervention, and the activemark being created as said parsing editor parses the document (Wodarz on col. 3, lines 35-61 and col. 4, lines 6-11: teaches modifying plurality of tags in a HTML code; each ad is associated with an image information and a network link such as URL (binding); and parsing of requested web page is done at the server-resident parser without user intervention).

However, Wodarz does not explicitly disclose "a graphical user interface".

Agranat on col. 11, lines 39-58: teaches GUI for the display of HTML documents.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Agranat into Wodarz to provide a GUI to allow the display of HTML documents incorporated for the display of viewable parsed and edited web requested web pages at the server-resident parser which will enhance the display of HTML documents with dynamic content.

**Regarding dependent claim 9,** Wodarz discloses:

further including means for modifying the appearance of said selected information in the document being displayed in response to activation of said activemark (Wodarz on col. 1, lines 35-51: teaches permitting “look and feel” of an ad).

**Regarding dependent claim 10,** Wodarz discloses:

wherein the activemark mechanism allows a selected activemark to be exclusively displayed in the edit view according to conceptual relatedness (Wodarz on col. 1, lines 53-62: teaches determining if ad can be inserted at the page position of the ad tag).

**Regarding dependent claim 11,** Wodarz discloses:

wherein the activemark exclusively displayed in the edit view according to conceptual relatedness is by type of activemark (Wodarz on col. 1, lines 35-62: teaches parser determines each ad tag the type of ad (e.g. banner, button, special, etc.)).

**Regarding dependent claim 12,** Wodarz discloses:

wherein said activemark is set to a piece of text by at least one of said parsing editor and an external command running in the edit system (Wodarz on col. 3, lines 35-61: teaches server-resident parser to set a ad tag to a HTML code document).

**Regarding independent claim 13,** Wodarz discloses:

In a document processing system having means for loading and storing a document, a parsing editor for initially parsing the document and thereafter incrementally parsing information entered in the document (Wodarz on col. 3, lines 35-61: teaches ...parser accesses the template for the requested page...), a method for generating marks in the document, said method comprising:

selecting information for a mark in the document (Wodarz on col. 1, lines 35-62: teaches parser determines the characteristics of an ad that is associated with an ad tag);

linking said selected information to a command, said selecting information and said linking operation being responsive to the parsing by the parsing editor without user intervention (Wodarz on col. 3, lines 35-61 and col. 4, lines 6-11: teaches each ad is associated with an image information and a network link such as URL (linking); and parsing of requested web page is done at the server-resident parser without user intervention); and

activating said mark in response to an activation input (Wodarz on col. 3, lines 55-61: teaches viewer selects (“click on”) an associated ad (activating)).

However, Wodarz does not explicitly disclose “a graphical user interface”.

Agranat on col. 11, lines 39-58: teaches GUI for the display of HTML documents.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Agranat into Wodarz to provide a GUI to allow the display of HTML documents incorporated for the display of viewable parsed and edited web requested web pages at the server-resident parser which will enhance the display of HTML documents with dynamic content.

**Regarding dependent claims 14 and 22,** Wodarz discloses:

wherein said command comprises a command internal to the processing system (Wodarz on col. 1, lines 35-62 and col. 3, lines 35-61: teaches server-resident parser for internal commands).

**Regarding dependent claims 15 and 23,** Wodarz discloses:

wherein said command comprises a command external to the processing system (Wodarz on col. 1, lines 35-62 and col. 3, lines 35-61: teaches client-resident browser program for external commands).

**Regarding dependent claims 16 and 24,** Wodarz discloses:

..... further including altering the appearance of said mark in the document in response to activation of said mark (Wodarz on col. 1, lines 35-51: teaches permitting “look and feel” of an ad).

**Regarding claim 21,** the limitations of claim 21 is a data storage medium for performing the method for claim 13 and is rejected under the same rationale.

**Regarding dependent claim 28,** Wodarz discloses:

..... wherein said mark control module sets said plurality of marks solely as defined by said parsing editor (Wodarz on col. 4, lines 6-11 teaches the parser “expands” the ad tag to define the characteristics of the tag to replace the tag with an ad).

**Regarding dependent claims 32 and 33,** Wodarz discloses:

..... wherein said marks are defined dynamically by the parsing editor during parsing of the document (Wodarz on col. 1, lines 36-51 teaches based on user request the parser automatically accesses the template of the requested page to expand and define the ad tags).

9. **Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wodarz and Agranat as applied to claims 1-16 and 21-24 above, and further in view of Anderson et al. (USPN 6,021,202 – filed on 12/1997).**

**Regarding dependent claims 25 and 27,** Wodarz and Agranat disclose the invention substantially as claimed as described *supra*. However, Wodarz and Agranat do not explicitly disclose “inserting marks into said document without user intervention in response to a parsing of said document”.

Anderson on col. 4, lines 23-36 and line 50 – col. 5, line 4: teaches elements in a document must be marked or tagged (marks can also be tags); the structured editor can simplify the task of preparing a document by inserting tags automatically.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Anderson into Wodarz and Agranat to provide a way to insert tags in a document automatically, as taught by Anderson, incorporated into the tags of the HTML document of Wodarz and Agranat, in order to assist in the validating and processing of mark-up documents in a document processing environment.

**Regarding dependent claim 26,** Anderson discloses

wherein said parsing editor adds functionality-equivalent tags to a document without user intervention via mark control module (Anderson on col. 4, lines 23-36 and line 50 – col. 5, line 4: teaches most parsers produce a new version of the document in canonical form; this form can be used by other software to provide structured editing (parser with an editor); wherein tags can be inserted (added) into the document automatically using the structure editor).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Anderson into Wodarz and Agranat to provide a way to insert tags in a document automatically, as taught by Anderson, incorporated into the tags of the

HTML document of Wodarz and Agranat, in order to assist in the validating and processing of mark-up documents in a document processing environment.

**10. Claims 29-31 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wodarz in view of Agranat, as applied to claims 1-16, 21-24, 28, 32-33 above, and in further view of Nakao (USPN 6,061,697 – filed on 08/1997).**

**Regarding dependent claims 29,** Wodarz and Agranat discloses the invention substantially as claimed as described in *supra*. However, Wodarz and Agranat do not explicitly disclose “a plurality of parsing editors, each of said plurality of parsing editors providing a unique functionality”.

Nakao does disclose “a plurality of parsing editors, each of said plurality of parsing editors providing a unique functionality”, on col. 7, lines 6-25 and lines 53-62: teaches a client and server are different computers and should user their own parsers physically different from each other to examine the consistency of the edited results.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Nakao into Wodarz and Agranat to provide a plurality of parsers, as taught by Nakao, incorporated into the processing of electronic documents of Wodarz and Agranat, in order to facilitate the revision of editing documents.

**Regarding dependent claims 30-31 and 34-35,** Wodarz and Agranat discloses the invention substantially as claimed as described in *supra*. However, Wodarz and Agranat do not explicitly disclose “a plurality of parsing editors”.

Nakao does disclose "a plurality of parsing editors", on col. 7, lines 6-25 and lines 53-62: teaches a client and server are different computers and should user their own parsers physically different from each other to examine the consistency of the edited results.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Nakao into Wodarz and Agranat to provide a plurality of parsers, as taught by Nakao, incorporated into the processing of electronic documents of Wodarz and Agranat, in order to facilitate the revision of editing documents.

#### ***Response to Arguments***

11. Applicant's arguments filed 10/07/03 have been fully considered but they are not persuasive.

Regarding Applicant's remarks on pages 7-8 and 10:

Applicant has added new claims 27-35, however, Applicant did not cite proper support from the specification for these newly added limitations. Applicant is advised against the addition of new matter in the claimed invention.

Regarding Applicant's remarks on pages 9-10:

In response to applicant's arguments that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., editors of HTML or different markup languages) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant is reminded that the Examiner has given the claims their broadest reasonable interpretation in light of the specification. The limitations from the specification should not be read into the claims to thereby narrow the scope of the claims.

Anderson discloses SGML structured editor to automatically insert tags on col. 4, lines 23-36 and line 50 – col. 5, line 4. The “editor” in the claimed invention is not disclosed as an editor of HTML and can be interpreted as an editor of a markup language such as SGML.

Regarding Applicant’s remarks on page 11:

Wodarz does disclose “loading the document and a parsing editor for initially parsing the document and thereafter incrementally parsing changes committed in said document” on col. 3, lines 35-61 teaches parser accesses the template for the requested page; parses the HTML code defining the template; and determines what ad can be placed or inserted in the “ad tag”.

### *Conclusion*

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AY  
December 23, 2003



JOSEPH H. FEILD  
PRIMARY EXAMINER